

any means whatsoever, any wild deer, buck, doe, fawn, or wild turkey within said counties, for a period of five (5) years; providing a penalty therefor, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

# REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, February 2, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 68, "An Act repealing Chapter 81, Senate Bill No. 11, as enacted by the Fifth Called Session of the Forty-first Legislature, as shown on page 246, et seq., of the Session Acts which created the One Hundred and Fourteenth Judicial District Court; validating and continuing all causes, processes, writs, bonds, and recognizances, and making them pending, answerable, and returnable and valid in the Thirty-first and Eighty-fourth Judicial District Courts, respectively; and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

## FIFTEENTH DAY

(Continued)

(Friday, February 3, 1933)

The House met at 10 o'clock a. m., and was called to order by Speaker Stevenson.

## LEAVE OF ABSENCE GRANTED

(By Unanimous Consent)

On motion of Mr. Ford, Mr. Mitcham was granted leave of absence for today and tomorrow on account of illness in his family.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, February 3, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 11, Inviting Dr. William Trufant Foster to address a Joint Session of the House and Senate on March 3.

The Senate has granted the request of the House for a conference committee on House Concurrent Resolution No. 9. The following have been appointed on the part of the Senate: Senators Hornsby, Purl, Pace, Murphy, and Woodward.

The Senate has passed

S. B. No. 155, A bill to be entitled "An Act to amend Article 7005, Chapter 7, Title 121, of the Revised Civil Statutes of Texas, 1925, as amended by Acts, 1931, Forty-second Legislature, page 755, Chapter 299, and as further amended by Acts of 1931, Forty-second Legislature, page 852, Chapter 360, Section 1, so as to exempt said counties from the provisions of said Chapter 7, Title 121, and abolishing the office of Inspector of Hides and Animals in any and all of the said counties so exempted, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

## ADDRESS BY THE HON. M. E. FOSTER

Mr. Morse offered the following resolution:

Whereas, The Hon. M. E. Foster, affectionately known to his many admirers as "Mefo," the South's outstanding editor of the present day, and champion of the principles of democracy, is within the Hall of the House; now, therefore, be it

Resolved, That the said M. E. Foster be, and is hereby, invited to address the House of Representatives.

MORSE,  
MOORE,  
McGREGOR,  
WINNINGHAM,  
HOLLAND,  
BRADLEY,  
MATHIS.

The resolution was read second time, and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to escort Mr. Foster to the Speaker's stand: Messrs. Morse, Moore, and McGregor.

The committee having performed their duty, Speaker Stevenson presented Mr. McGregor, who, in turn, introduced Mr. Foster.

Mr. Foster then addressed the House.

#### HOUSE BILL NO. 168 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 168, A bill to be entitled "An Act making appropriations to pay salaries to judges, and the support and maintenance of the Judicial Department of the State Government for the two-year period beginning September 1, 1933, and ending August 31, 1935; and declaring an emergency."

The bill was read second time.

Mr. Patterson moved that the bill be laid on the table subject to call, and the motion was lost.

Mr. Harman offered the following committee amendment to the bill:

Amend House Bill No. 168 by striking out all after "August 31, 1935," in line 20, of Section 1, and add the following:

#### COURT OF CIVIL APPEALS

##### First District, Galveston, Texas

	For the Years Ending	
	August 31, 1934	August 31, 1935
Three Judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	2,000.00	2,000.00
Stenographer .....	1,200.00	1,200.00
Porter .....	360.00	360.00
Books for Library .....	250.00	250.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent, and contingent expenses .....	450.00	450.00
Furniture, filing cabinets, typewriters.....	50.00	.....
Totals.....	\$ 19,310.00	\$ 19,260.00

##### Second District, Fort Worth, Texas

Three Judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	2,000.00	2,000.00
Stenographer .....	1,200.00	1,200.00
Porter .....	360.00	360.00
Books for Library .....	250.00	250.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent, and contingent expenses .....	450.00	450.00
Labor and material to build cases to store old court records .....	100.00	.....
Totals.....	\$ 19,360.00	\$ 19,260.00

##### Third District, Austin, Texas

Three Judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	2,000.00	2,000.00
Stenographer .....	1,200.00	1,200.00
Porter .....	360.00	360.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent, and contingent expenses .....	450.00	450.00
Books for Library .....	250.00	250.00
Totals.....	\$ 19,260.00	\$ 19,260.00

## COURT OF CIVIL APPEALS—Continued

## Fourth District, San Antonio, Texas

	For the Years Ending	
	August 31, 1934	August 31, 1935
Three Judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	2,000.00	2,000.00
Stenographer .....	1,200.00	1,200.00
Porter .....	360.00	360.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent, and contingent expenses .....	450.00	450.00
Books for Library .....	250.00	250.00
Rebind and repair Library books, and supply broken sets .....	.....	70.00
Totals .....	\$ 19,260.00	\$ 19,330.00

## Fifth District, Dallas, Texas

Three Judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	2,000.00	2,000.00
Stenographer .....	1,200.00	1,200.00
Porter .....	360.00	360.00
Books for Library .....	250.00	250.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent, and contingent expenses .....	450.00	450.00
Typewriter .....	.....	70.00
Totals .....	\$ 19,260.00	\$ 19,330.00

## Sixth District, Texarkana, Texas

Three Judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	2,000.00	2,000.00
Stenographer .....	1,200.00	1,200.00
Porter .....	360.00	360.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent, and contingent expenses .....	450.00	450.00
Books for Library .....	250.00	250.00
Typewriter .....	70.00	.....
Totals .....	\$ 19,330.00	\$ 19,260.00

## Seventh District, Amarillo, Texas

Three Judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	2,000.00	2,000.00
Stenographer .....	1,200.00	1,200.00
Porter .....	360.00	360.00
Books for Library .....	250.00	250.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent, and contingent expenses .....	450.00	450.00
Totals .....	\$ 19,260.00	\$ 19,260.00

## COURT OF CIVIL APPEALS—Continued

## Eighth District, El Paso, Texas

	For the Years Ending	
	August 31, 1934	August 31, 1935
Three Judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	2,000.00	2,000.00
Stenographer .....	1,200.00	1,200.00
Porter .....	360.00	360.00
Books for Library .....	250.00	250.00
Typewriter .....	.....	70.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent, and contingent expenses .....	450.00	450.00
Totals.....	\$ 19,260.00	\$ 19,330.00

## Ninth District, Beaumont, Texas

Three Judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	2,000.00	2,000.00
Stenographer .....	1,200.00	1,200.00
Porter .....	360.00	360.00
Books for Library .....	250.00	250.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent, and contingent expenses .....	450.00	450.00
Furniture and typewriter.....	.....	70.00
Totals.....	\$ 19,260.00	\$ 19,330.00

## Tenth District, Waco, Texas

Three Judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	2,000.00	2,000.00
Stenographer .....	1,200.00	1,200.00
Porter .....	360.00	360.00
Books for Library .....	250.00	250.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent, and contingent expenses .....	450.00	450.00
Totals.....	\$ 19,260.00	\$ 19,260.00

## Eleventh District, Eastland, Texas

Three Judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	2,000.00	2,000.00
Stenographer .....	1,200.00	1,200.00
Porter .....	360.00	360.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent, and contingent expenses .....	450.00	450.00
Typewriters .....	.....	70.00
Books for Library and upkeep.....	250.00	250.00
Totals.....	\$ 19,260.00	\$ 19,330.00

## SUPREME COURT

	For the Years Ending	
	August 31, 1934	August 31, 1935
Three Judges . . . . .	\$ 18,000.00	\$ 18,000.00
Clerk . . . . .	3,000.00	3,000.00
Reporter . . . . .	2,400.00	2,400.00
Law clerk and stenographers (3) . . . . .	4,050.00	4,050.00
Marshal and assistant librarian . . . . .	1,500.00	1,500.00
Porters (2) . . . . .	720.00	720.00
Miscellaneous:		
Furniture, record books, printing, stationery, typewriters, postage, express, and contingent expenses . . . . .	1,250.00	1,250.00
Purchase of books and rebinding . . . . .	2,000.00	2,000.00
Totals . . . . .	\$ 32,920.00	\$ 32,920.00

## SUPREME COURT, COMMISSION OF APPEALS

## Sections A and B

Six Judges . . . . .	\$ 31,500.00	\$ 31,500.00
Stenographers (4) . . . . .	4,500.00	4,500.00
Porter . . . . .	360.00	360.00
Record books, rental and purchase of law books, stationery, furniture, typewriters, postage, and contingent expenses . . . . .	500.00	500.00
Totals . . . . .	\$ 36,860.00	\$ 36,860.00

## COURT OF CRIMINAL APPEALS

Three Judges . . . . .	\$ 18,000.00	\$ 18,000.00
Clerk . . . . .	3,000.00	3,000.00
Bailiff and secretary . . . . .	1,800.00	1,800.00
Secretaries (2) . . . . .	3,200.00	3,200.00
Court Reporter . . . . .	3,000.00	3,000.00
Joint stenographer for Reporter of Court of Criminal Appeals and Supreme Court . . . . .	1,128.00	1,128.00
Porter . . . . .	360.00	360.00
Postage and box rent . . . . .	200.00	200.00
Law books . . . . .	300.00	300.00
Record books and stationery . . . . .	300.00	300.00
Contingent expenses . . . . .	75.00	75.00
Furniture, file cases and pictures of deceased Judges . . . . .	150.00	150.00
Telephones . . . . .	180.00	180.00
Filing envelopes . . . . .	200.00	200.00
Typewriters . . . . .	70.00	70.00
Totals . . . . .	\$ 31,963.00	\$ 31,963.00

## COMMISSION OF APPEALS, COURT OF CRIMINAL APPEALS

Two Commissioners . . . . .	\$ 10,500.00	\$ 10,500.00
Two stenographers . . . . .	2,700.00	2,700.00
Telephones . . . . .	100.00	100.00
Totals . . . . .	\$ 13,300.00	\$ 13,300.00

## State's Attorney Before Court of Criminal Appeals

	For the Years Ending	
	August 31, 1934	August 31, 1935
Attorney . . . . .	\$ 2,700.00	\$ 2,700.00
Law clerk and stenographer . . . . .	1,350.00	1,350.00
Telephone, postage, and contingent expense... .	150.00	150.00
Furniture, typewriter, and bookcase.....	50.00	50.00
Law books . . . . .	75.00	75.00
Totals.....	\$ 4,325.00	\$ 4,325.00

## JUDICIARY—COMPTROLLER'S DEPARTMENT

District Judges' salaries, one hundred and twenty-five, at \$4,000 per year.....	\$ 500,000.00	\$ 500,000.00
District Judge, Special District Court of Smith, and Upshur Counties, until November 15, 1934 . . . . .	4,000.00	.....
District Judge, Special District Court of Rusk and Gregg Counties, until November 1, 1934 . . . . .	4,000.00	.....
District Attorneys, constitutional allowance, fifty-eight at \$500 each per year.....	29,000.00	29,000.00
District Attorneys' compensation and per diem, fifty-eight attorneys at \$8.25 per day for each of first year 350 days of calendar year . . . . .	150,150.00	150,150.00
District Attorney of El Paso District.....	2,887.50	2,887.50
Two assistant district attorneys, El Paso District, at \$2,000 each per year.....	4,000.00	4,000.00
Assistant district attorney's salary, Twenty-second District . . . . .	2,000.00	2,000.00
Two assistant district attorneys, Forty-ninth and Seventy-second Districts, \$2,000 each, per year . . . . .	4,000.00	4,000.00
Assistant district attorney's salary, Forty-seventh District . . . . .	2,000.00	2,000.00
Assistant district attorney, Travis County....	2,000.00	2,000.00
District Judges' and District Attorneys' expenses, payable quarterly.....	35,000.00	35,000.00
Special District Judges' salaries and regular District Judges' expenses when holding court out of their own districts.....	7,500.00	7,500.00
Transcripts in cases when court is required and does appoint attorney to represent defendant in criminal action, and where official reporter is required and does furnish defendant's attorney (if convicted) with transcripts of his notes as is provided by law.....	1,500.00	1,500.00
Fees and costs of officials in cases of escheated estates, including already accrued fees.....	50.00	50.00
Fees and costs of sheriffs, attorneys and clerks in felony cases . . . . .	500,000.00	500,000.00
Expenses of attached witnesses, witness fees and mileage allowed witnesses in felony cases, who live in counties other than the counties in which the case is being tried....	200,000.00	200,000.00
Fees of county judges, county attorneys, justice of the peace, sheriffs, and constables in examining trials actually held and where indictments are returned . . . . .	100,000.00	100,000.00
Total Judiciary (Comptroller).....	\$ 1,548,087.50	\$ 1,540,087.50

Provided, that the amounts herein appropriated for each item as herein stated, and no more, shall be paid out of the General Revenue for the Judiciary during the fiscal years beginning September 1, 1934, and ending August 31, 1935, and no surplus shall be diverted from one account to another.

Provided, that all printing and stationery shall be purchased through the Board of Control and shall be confined to such articles and qualities as selected and contracted for by the Board of Control.

Provided, that no account against any items of witness fees, county attorneys, justice of peace, sheriffs, and constables' fees, and costs of sheriffs, attorneys and clerks in felony cases, shall be binding as an obligation against the State of Texas until such account shall have been examined, audited, and approved by the State Comptroller, and no such account shall be paid by the State Treasurer until the same has been so approved by the Comptroller.

Provided, that the Governor, in case of an extraordinary emergency, may authorize a deficiency for such purpose or purposes which could not have been anticipated or provided for by the Legislature. All moneys appropriated by this Act shall remain in the State Treasury, and be paid out only as it is expended, or as the necessity or emergency may require.

Provided, that it shall be the duty of the clerks of the various courts above mentioned, on the first Monday in July, October, January, and April, of each year, to make a report to the Comptroller, showing the amount of fees collected each quarter, giving the number of cases, but not necessarily the style of case, together with the fees from other sources, stating in each instance the source.

Fees shall be fixed, charged, and collected from book companies, litigants, and their attorneys, and all others, for all unofficial and certified copies of opinions of the court, made or furnished by said court, or the clerk, stenographers, or other employes thereof, and fees shall be fixed, charged, and collected for all other services rendered by said court, the clerk, stenographers, or other employes, to book companies, litigants, and their attorneys, and all others not now furnished or required to be furnished free of charge; and all of said fees and charges when collected, shall be paid into the Treasury of the State of Texas. Provided, that each and every employe under this Act shall be paid by voucher, issued in his or her name; said voucher shall state the amount of salary or sum due, and for what services performed, with the date and time of such service, and no money or moneys shall be paid except upon presentation of said voucher or vouchers indorsed by the payee.

Provided further, that it shall be the duty of the head of each and every department of the State Government, annually, and within sixty days after the close of the State's fiscal year, to make a sworn statement to the Governor of all amounts expended by said department, and especially list therein the total amount expended by such department for traveling expenses, and the amounts expended for the purchase of automobiles, and all expenses for gasoline, oil, repairs, parts, and supplies for all automobiles used by such departments; and the head of each department, simultaneously with the filing of his report with the Governor, shall forward a copy of said report to the State Board of Control.

Sec. 2. The fact that the above and foregoing is one of the regular appropriation bills for the support of the State Government for the two fiscal years beginning September 1, 1933, and ending August 31, 1935, creates a necessity for the expediting of the passage of this appropriation bill, and therefore, creates an emergency and an imperative public necessity which demands that the rule, requiring bills to be read on three several days, be suspended, and that this bill become effective from and after its passage, and it is so enacted.

## RECAPITULATION

	For the Years Ending	
	August 31, 1934	August 31, 1935
Court of Civil Appeals, First District, Galveston . . . . .	\$ 19,310.00	\$ 19,260.00
Court of Civil Appeals, Second District, Fort Worth . . . . .	19,360.00	19,260.00
Court of Civil Appeals, Third District, Austin. . . . .	19,260.00	19,260.00
Court of Civil Appeals, Fourth District, San Antonio . . . . .	19,260.00	19,330.00
Court of Civil Appeals, Fifth District, Dallas. . . . .	19,260.00	19,330.00
Court of Civil Appeals, Sixth District, Texarkana . . . . .	19,330.00	19,260.00
Court of Civil Appeals, Seventh District, Amarillo . . . . .	19,260.00	19,260.00
Court of Civil Appeals, Eighth District, El Paso . . . . .	19,260.00	19,330.00
Court of Civil Appeals, Ninth District, Beaumont . . . . .	19,260.00	19,330.00
Court of Civil Appeals, Tenth District, Waco.. . . .	19,260.00	19,260.00
Court of Civil Appeals, Eleventh District, Eastland . . . . .	19,260.00	19,330.00
Supreme Court . . . . .	32,920.00	32,920.00
Commission of Appeals, Sections A and B. . . . .	36,860.00	36,860.00
Court of Criminal Appeals. . . . .	31,963.00	31,963.00
Commission of Appeals, Court of Criminal Appeals . . . . .	13,300.00	13,300.00
State's Attorney before Court of Criminal Appeals . . . . .	4,325.00	4,325.00
Judiciary, Comptroller's Department. . . . .	1,548,087.50	1,540,087.50
Grand totals. . . . .	\$1,879,535.50	\$ 1,871,665.50

Mr. Chastain offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 168, page 6, line 39, by striking out "three thousand (3,000)," and insert in lieu thereof, "two thousand (2,000)."

The amendment was adopted.

Mr. Chastain offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 168, page 7, line 27, by striking out "three thousand (3,000)," and inserting in lieu thereof, "two thousand (2,000)."

The amendment was adopted.

Mrs. Hughes offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 168 by inserting on page 4, between lines 26 and 27, the words "Deputy clerk, \$1,395."

Mr. Camp offered the following substitute for the amendment by Mrs. Hughes:

Amend House Bill No. 168, so as to provide for a deputy clerk in each Court of Civil Appeals at an annual salary of \$1,300.

Question first recurring on the substitute amendment by Mr. Camp, yeas and nays were demanded.

The amendment was lost by the following vote:



## Yeas—22

Bedford.	McClain.
Burns.	McGregor.
Camp.	Metcalfe.
Clayton.	Morse.
Daniel.	Patterson.
Graves.	Ratliff.
Hankamer.	Ray.
Hill of Webb.	Renfro.
Hoskins.	Scarborough.
Hughes.	Stinson.
Kyle of Hays.	Van Zandt.

## Nays—105

Adamson.	Jones of Atascosa.
Aikin.	Jones of Runnels.
Alexander.	Jones of Shelby.
Alsup.	Kayton.
Anderson of Johnson.	Kyle of Palo Pinto.
Baker.	Laird.
Barron.	Latham.
Beck.	Lemens.
Bourne.	Leonard.
Bradley.	Lindsey.
Butler.	Long.
Calvert.	Lotief.
Canon.	Magee.
Cathey.	Mackay.
Caven.	Mathis.
Chastain.	McCullough.
Colson.	McKee.
Coombes.	Merritt.
Cowley.	Moffett.
Crossley.	Moore.
Davidson.	Morrison.
Dean.	Munson.
Devall.	Palmer.
Dunagan.	Parkhouse.
Dwyer.	Pavlica.
Fain.	Pope.
Few.	Puryear.
Fisher.	Ramsey.
Ford.	Reader.
Fuchs.	Reed of Bowie.
Glass.	Riddle.
Golson.	Roberts.
Good.	Rogers of Hunt.
Goodman.	Rogers of Ochiltree.
Greathouse.	Rollins.
Griffith.	Ross.
Harman.	Russell.
Harris.	Savage.
Harrison.	Scott.
Hartzog.	Shannon.
Hester.	Smith.
Hicks.	Stanfield.
Hill of Brazoria.	Sullivant.
Hodges.	Tarwater.
Holekamp.	Tennyson.
Huddleston.	Thomas.
Hyder.	Tillery.
James.	Townsend.
Jefferson.	Turlington.
Johnson of Anderson.	Wagstaff.
	Walker.

Wells.  
Winningham.Wood.  
Young.

## Absent

Anderson of Bexar.	Jackson.
Barrett.	McDougald.
Dunlap.	Nicholson.
Duvall.	Reed of Dallas.
Engelhard.	Shults.
Haag.	Steward.
Head.	Stovall.
Holland.	Weinert.
Holloway.	West.

## Absent—Excused

Hunt.	Mitcham.
Johnson of Dimmit.	Vaughan.

Question then recurring on the amendment by Mrs. Hughes, yeas and nays were demanded.

The amendment was lost by the following vote:

## Yeas—7

Burns.	Savage.
Hughes.	Shannon.
McGregor.	Stinson.
Metcalfe.	

## Nays—115

Adamson.	Few.
Aikin.	Fisher.
Alexander.	Ford.
Alsup.	Glass.
Anderson of Bexar.	Golson.
Anderson of Johnson.	Good.
Baker.	Goodman.
Barron.	Graves.
Beck.	Greathouse.
Bedford.	Griffith.
Bourne.	Hankamer.
Bradley.	Harman.
Butler.	Harris.
Calvert.	Harrison.
Camp.	Hartzog.
Canon.	Hester.
Cathey.	Hicks.
Caven.	Hill of Brazoria.
Chastain.	Hill of Webb.
Clayton.	Hodges.
Colson.	Holekamp.
Coombes.	Huddleston.
Cowley.	Hyder.
Crossley.	James.
Daniel.	Jefferson.
Davidson.	Jones of Atascosa.
Dean.	Jones of Runnels.
Devall.	Jones of Shelby.
Dunagan.	Kayton.
Dwyer.	Kyle of Hays.
Fain.	Kyle of Palo Pinto.
	Laird.
	Latham.

Lemens.	Renfro.
Leonard.	Roberts.
Lindsey.	Rogers of Hunt.
Long.	Rogers
Lotief.	of Ochiltree.
Magee.	Rollins.
Mackay.	Ross.
Mathis.	Russell.
McClain.	Scarborough.
McCullough.	Scott.
McKee.	Smith.
Merritt.	Stanfield.
Moffett.	Sullivant.
Moore.	Tarwater.
Morrison.	Tennyson.
Morse.	Thomas.
Palmer.	Tillery.
Parkhouse.	Townsend.
Patterson.	Turlington.
Pavlica.	Van Zandt.
Pope.	Wagstaff.
Puryear.	Walker.
Ramsey.	Wells.
Ratliff.	Winningham.
Reader.	Wood.
Reed of Bowie.	Young.

## Absent

Barrett.	McDougald.
Dunlap.	Munson.
Duvall.	Nicholson.
Engelhard.	Ray.
Fuchs.	Reed of Dallas.
Haag.	Riddle.
Head.	Shults.
Holland.	Steward.
Holloway.	Stovall.
Hoskins.	Weinert.
Jackson.	West.
Johnson	
of Anderson.	

## Absent—Excused

Hunt.	Mitcham.
Johnson	Vaughan.
of Dimmit.	

Mr. Calvert offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 168, by inserting in front of the word "Stenographer," wherever it appears in the budgets for the several Courts of Civil Appeals, the words "Deputy clerks and."

The amendment was adopted by the following vote:

## Yeas—102

Adamson.	Anderson
Aikin.	of Johnson.
Alexander.	Barron.
Alsop.	Beck.

Bedford.	Lemens.
Bourne.	Leonard.
Bradley.	Lindsey.
Burns.	Long.
Butler.	Lotief.
Calvert.	Magee.
Camp.	Mackay.
Canon.	Mathis.
Caven.	McClain.
Chastain.	McCullough.
Clayton.	McGregor.
Cowley.	Metcalfe.
Crossley.	Moffett.
Daniel.	Moore.
Davidson.	Morse.
Dean.	Munson.
Devall.	Palmer.
Fain.	Patterson.
Few.	Pavlica.
Fisher.	Pope.
Ford.	Puryear.
Fuchs.	Ramsey.
Glass.	Ratliff.
Golson.	Reader.
Good.	Reed of Bowie.
Greathouse.	Renfro.
Griffith.	Riddle.
Harman.	Roberts.
Harris.	Rollins.
Harrison.	Ross.
Hartzog.	Russell.
Hicks.	Savage.
Hill of Brazoria.	Scarborough.
Hill of Webb.	Shannon.
Hodges.	Smith.
Hughes.	Stanfield.
Hyder.	Stinson.
James.	Sullivant.
Jefferson.	Tarwater.
Johnson	Tennyson.
of Anderson.	Townsend.
Jones of Atascosa.	Turlington.
Jones of Runnels.	Van Zandt.
Jones of Shelby.	Wagstaff.
Kayton.	Walker.
Kyle of Hays.	Wells.
Kyle of Palo Pinto.	Wood.
Laird.	Young.

## Nays—15

Baker.	Holekamp.
Cathey.	Huddleston.
Coombes.	Latham.
Dunagan.	McKee.
Graves.	Parkhouse.
Haag.	Scott.
Hankamer.	Winningham.
Hester.	

## Present—Not Voting

Thomas.
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## Absent

Anderson	Colson.
of Bexar.	Dunlap.
Barrett.	Duvall.

Dwyer.	Ray.
Engelhard.	Reed of Dallas.
Goodman.	Rogers of Hunt.
Head.	Rogers
Holland.	of Ochiltree.
Holloway.	Shults.
Hoskins.	Steward.
Jackson.	Stovall.
McDougald.	Tillery.
Merritt.	Weinert.
Morrison.	West.
Nicholson.	

## Absent—Excused

Hunt.	Mitcham.
Johnson	Vaughan.
of Dimmit.	

Mrs. Hughes offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 168, page 3, lines 12, 25, 39; page 4, lines 14, 28, and 40; page 5, lines 16 and 28; page 6, lines 4, 17, and 29; page 7, line 34, by striking out "\$360" in each column and inserting in lieu thereof "\$600."

Mr. Kayton offered the following substitute for the amendment by Mrs. Hughes:

Substitute the following for the amendment by Mrs. Hughes to House Bill No. 168:

Change figures "\$600" to "\$540."

The substitute amendment was adopted.

Question then recurring on the amendment as substituted, yeas and nays were demanded.

The amendment as substituted was adopted by the following vote:

## Yeas—70

Aikin.	Davidson.
Alexander.	Dwyer.
Alsup.	Golson.
Anderson	Goodman.
of Bexar.	Graves.
Anderson	Greathouse.
of Johnson.	Hankamer.
Bedford.	Hartzog.
Burns.	Hill of Brazoria.
Butler.	Hill of Webb.
Calvert.	Hodges.
Camp.	Holekamp.
Caven.	Hoskins.
Clayton.	Hughes.
Colson.	Hyder.
Cowley.	Jefferson.
Crossley.	Jones of Atascosa.
Daniel.	Kayton.

Kyle of Hays.	Reader.
Lemens.	Renfro.
Long.	Roberts.
Magee.	Rollins.
Mackay.	Ross.
Mathis.	Scarborough.
McClain.	Shannon.
McCullough.	Smith.
McGregor.	Stinson.
McKee.	Tillery.
Metcalfe.	Townsend.
Moore.	Turlington.
Morse.	Van Zandt.
Munson.	Wagstaff.
Nicholson.	Walker.
Parkhouse.	Wells.
Patterson.	Winningham.
Ray.	Young.

## Nays—55

Adamson.	Kyle of Palo Pinto
Baker.	Laird.
Barron.	Latham.
Bourne.	Leonard.
Canon.	Lindsey.
Cathey.	Lotief.
Chastain.	Merritt.
Coombes.	Moffett.
Dean.	Morrison.
Devall.	Palmer.
Dunagan.	Pavlica.
Fain.	Pope.
Few.	Puryear.
Fisher.	Ramsey.
Ford.	Ratliff.
Fuchs.	Reed of Bowie.
Glass.	Riddle.
Good.	Rogers of Hunt.
Haag.	Rogers
Harman.	of Ochiltree.
Harris.	Russell.
Hester.	Savage.
Hicks.	Scott.
Huddleston.	Stanfield.
James.	Sullivant.
Johnson	Tarwater.
of Anderson.	Thomas.
Jones of Runnels.	Wood.
Jones of Shelby.	

## Absent

Barrett.	Holloway.
Beck.	Jackson.
Bradley.	McDougald.
Dunlap.	Reed of Dallas.
Duvall.	Shults.
Engelhard.	Steward.
Griffith.	Stovall.
Harrison.	Tennyson.
Head.	Weinert.
Holland.	West.

## Absent—Excused

Hunt.	Mitcham.
Johnson	Vaughan.
of Dimmit.	

Question — Shall the committee amendment be adopted?

#### BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

S. B. No. 144, "An Act releasing all interest and penalties on registration fees on motor vehicles, for which a license fee is due on or before January 31, 1933, and declaring an emergency."

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, February 3, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 16, A bill to be entitled "An Act making appropriation to pay the presidential electors of Texas, providing how it shall be made, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### HOUSE BILLS ON FIRST READING

On motion of Mr. Patterson, by unanimous consent of the House, the following bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Holland, Mr. Camp, Mr. Bedford, Mr. Hankamer, Mrs. Hughes, Mr. Anderson of Johnson, and Mr. Van Zandt:

H. B. No. 344, A bill to be entitled "An Act providing for and regulating the manner and method of serving process on foreign corporations doing business in Texas, and providing for the designation of service agents by foreign corporations upon whom service of process may be had in Texas, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Holland, Mr. Bedford, and Mr. Hankamer:

H. B. No. 345, A bill to be entitled "An Act withdrawing from appear-

ing party, review in Court of Civil Appeals by means of writ of error, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Holland, Mrs. Hughes, and Mr. Anderson of Johnson:

H. B. No. 346, A bill to be entitled "An Act permitting citations to be served and return to be made by registered mail; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Holland, Mr. Hankamer, Mrs. Hughes, and Mr. Anderson of Johnson:

H. B. No. 347, A bill to be entitled "An Act defining the meaning of practicing law and prohibiting corporations and all other persons or associations from practicing law in Texas, except licensed attorneys of the Bar of Texas, and providing penalties for violation of this Act, and making any agreement in violation of this Act illegal and unenforceable, and prohibiting the recovery of any compensation rendered in violation of this Act, and making all persons, corporations, and association of persons violating this Act liable for loss, damage, or injury to any person, corporation, or association of persons, without showing that said loss was due to negligence; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Camp, Mr. Holland, Mr. Bedford, and Mr. Anderson of Johnson:

H. B. No. 348, A bill to be entitled "An Act to amend Article 1738, Revised Civil Statutes of Texas of 1925 (as amended by the Acts of 1927, Fortieth Legislature, First Called Session, page 148, Chapter 51, Section 1), so as to provide that the equalization of the business of the Courts of Civil Appeals shall be made by the Supreme Court, as of the close of business in said Courts of Civil Appeals on December 31 and May 31 of each year; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Holland, Mr. Bedford, Mr. Hankamer, Mrs. Hughes, and Mr. Anderson of Johnson:

H. B. No. 349, A bill to be entitled "An Act amending Article 308, of

the Revised Statutes, by adding thereto provisions that attorneys from other jurisdictions shall be required to pass the examination given to other applicants, with exception respecting participation by such attorneys in the trial or hearing of any particular case, wherein a resident, practicing attorney of Texas is actually employed, associated, and personally participating; repealing all laws in conflict; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Holland, Mr. Bedford, Mr. Hankamer, and Mr. Anderson of Johnson:

H. B. No. 350, A bill to be entitled "An Act amending Article 2237, of the Revised Statutes, by dispensing with bills of exception to action on written motion; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Holland, Mr. Bedford, and Mr. Anderson of Johnson:

H. B. No. 351, A bill to be entitled "An Act to give further certainty to appellate jurisdiction, by adding to the Revised Statutes, Article 1840-a, providing for waiver and cure of objection as to the various notices and bonds required for its perfection; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Holland, Mr. Bedford, and Mrs. Hughes:

H. B. No. 352, A bill to be entitled "An Act withdrawing exemption of bar examination from graduates of law schools, repealing Article 307, Revised Statutes of Texas, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Holland, Mrs. Hughes, and Mr. Anderson of Johnson:

H. B. No. 353, A bill to be entitled "An Act to amend Article 1856, Revised Civil Statutes of the State of Texas, so as to confine reversals of errors of substance and merit, by adding thereto certain provisos to the effect that the Courts of Civil Appeals shall not reverse a judgment for errors not calculated to cause, and which probably did not cause, rendition of an improper judgment, or probably prevent appellant from making a proper presentation of the

case on appeal; and authorizing reversal only of part of matter in controversy, where severable from other parts; and authorizing the appellate courts to require the trial court to correct errors in certain cases; and authorizing allowance of amendments to pleadings in appellate court, where this may be done without detriment to substantial rights of appellant; and authorizing appellate court to ascertain existence of an undisputed fact necessary to final disposition of the case, and providing the procedure thereof; and providing that invalidity of a part of this Act shall not invalidate any other part; and repealing all laws and parts of laws in conflict therewith; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Holland, Mr. Bedford, and Mr. Hankamer:

H. B. No. 354, A bill to be entitled "An Act to preserve filed pleadings, by making just and convenient regulations to such end, repealing all conflicting laws, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Holland, Mr. Bedford, and Mr. Hankamer:

H. B. No. 355, A bill to be entitled "An Act amending Chapter 8, Title 42, of the Revised Statutes of 1925, by adding an article empowering the judge to change venue on his own motion. Also declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Barrett:

H. B. No. 356, A bill to be entitled "An Act to amend Article 2884, Chapter 17, of the Revised Civil Statutes of Texas, 1925, providing for the cancellation of teachers' certificates under certain conditions, and declaring an emergency."

Referred to Committee on Education.

By Mr. Graves:

H. B. No. 357, A bill to be entitled "An Act regulating and licensing foreign insurance companies applying for certificates of authority and permits to do business in this State; prescribing that no such foreign insurance company will be entitled to transact any insurance business in

this State or enjoy any privilege not permitted to be transacted or enjoyed by a domestic insurance company, and that if such foreign insurance company be a capital stock company, all of its capital stock must be fully subscribed and paid for, and in no event shall same be less than that required of domestic insurance companies to transact the same kind of insurance business; etc.; and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Goodman:

H. B. No. 358, A bill to be entitled "An Act designating fur-bearing animals, declaring them the property of the State, declaring a five-year closed season on wild fox in Robertson County; and providing a penalty for violation of this Act."

Referred to Committee on Game and Fisheries.

By Mr. Aikin, Mr. Canon, Mr. Barrett, and Mr. Kyle of Hays:

H. B. No. 359, A bill to be entitled "An Act for the purpose of releasing the interest and penalties on all State, county, special school, school district, road district, levee improvement district, and irrigation district taxes, and taxes of other defined subdivisions of the State, other than incorporated cities and towns, delinquent up to and including February 1, 1933, providing said taxes are paid on or before October 15, 1933, declaring a State policy and the existence of a public calamity; suspending all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Caven:

H. B. No. 360, A bill to be entitled "An Act to amend Article 451, of the Code of Criminal Procedure, 1925, relating to the taking of bail in felony cases; providing that in cases of arrest for felony less than capital, the sheriff may take the bail, and providing a manner of requiring new bail after indictment, if insufficient bail has been taken; and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Renfro:

H. B. No. 361, A bill to be entitled "An Act to amend Section 13, of Chapter 280, of the General Laws of the Forty-first Legislature of Texas, Regular Session, relating to water control and improvement districts. This Act will in nowise change the provisions of Section 13, but does propose to insert therein, immediately after subdivision (2) thereof, a paragraph to be subdivision (3) of said section, and to provide that: In case such a district has not completed its works in accordance with its plan for improvements; has not money from other sources adequate to complete its works as planned, but has acquired property or lands found not to be reasonably required to carry out the plans, the proceeds of the sale of such property or land may be applied to the completion of the works contemplated by the district's plans for improvements. Also declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Aikin and Mr. Canon:

H. B. No. 362, A bill to be entitled "An Act prohibiting the use of any seine or net for taking fish from any of the waters of Lamar County, except a seine or net of not less than two-inch square mesh; or a minnow seine for the purpose of taking bait; providing a penalty, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Coombes and Mr. Hoskins (by request):

H. B. No. 363, A bill to be entitled "An Act making appropriations to pay miscellaneous claims and authorizing payment of said miscellaneous items, on taking effect of this Act, and declaring an emergency."

Referred to Committee on Claims and Accounts.

By Mr. Coombes and Mr. Hoskins (by request):

H. B. No. 364, A bill to be entitled "An Act making appropriations to pay miscellaneous claims and authorizing payment of said miscellaneous items on taking effect of this Act, and declaring an emergency."

Referred to Committee on Claims and Accounts.

By Mr. Griffith:

H. B. No. 365, A bill to be entitled "An Act amending Article 226, of the 1925 Revised Criminal Statutes of Texas, and declaring an emergency." (Relative to procedure of election precincts on ballots cast.)

Referred to Committee on Privileges, Suffrage, and Elections.

By Mr. Griffith:

H. B. No. 366, A bill to be entitled "An Act amending Article 3028, of the 1925 Revised Civil Statutes of Texas, and declaring an emergency." (Relative to procedure of election precincts on ballots cast.)

Referred to Committee on Privileges, Suffrage, and Elections.

By Mr. Anderson of Bexar:

H. B. No. 367, A bill to be entitled "An Act to amend Article 3135, Chapter 13, Title 50, of the Revised Civil Statutes of Texas, 1925, by providing for the time and place of the meeting of the district executive committee and district conventions of political parties; providing for the tabulation and canvassing of returns from county chairmen and the certifying of candidates receiving the highest number of votes to be placed on the ballot for the second primary, held on the fourth Saturday of August, 1934, and each two years thereafter; providing for meeting of district executive committee to receive and tabulate list of delegates to district convention, to receive returns from second general primary; providing for district conventions to declare party nominations for district offices, and the certification of such nominees to the Secretary of State, and providing that county clerks shall also certify votes of their counties for district offices to the Secretary of State, and declaring an emergency."

Referred to Committee on Privileges, Suffrage, and Elections.

By Mr. Anderson of Bexar, Mr. Cathey, and Mr. Jefferson:

H. B. No. 368, A bill to be entitled "An Act prohibiting the operation of, or permitting the operation of, any freight train consisting of more than seventy (70) freight cars or other cars, exclusive of caboose, and prohibiting the operation of any passenger train consisting of more than fourteen (14) cars on any line or road, or any portion thereof, in the

State of Texas, by any person, firm, association, company, or corporation operating any railroad in the State of Texas; fixing a penalty for the violation of this Act, and providing for the Attorney General to recover, in the name of the State of Texas, in any county through which said railroad may be run or operated, and making an exception in certain cases to the provisions of this Act; and declaring an emergency."

Referred to Committee on Common Carriers.

By Mr. Anderson of Bexar, Mr. Kayton, Mr. Rollins, Mr. Ray, Mr. Greathouse, Mr. Burns, Mr. Pavlica, Mr. Latham, Mr. Jackson, Mr. Laird, Mr. Adamson, Mr. Steward, Mr. Bradley, Mr. Van Zandt, Mr. Dwyer, Mr. Holland, Mr. McCullough, Mr. Reader, Mr. Young, Mr. James, Mr. Hankamer, Mr. Cathey, Mr. Jefferson, Mr. Smith, and Mr. Stanfield:

H. B. No. 369, A bill to be entitled "An Act defining the terms 'common carrier,' 'power unit,' 'light engine,' 'passenger train,' 'freight train,' 'motor car,' 'engineer,' 'fireman,' 'conductor,' and 'brakeman'; defining the term 'competent employe,' and applying such term to an engineer, a fireman, conductor, and brakeman; (1) prohibiting any common carrier from running over its road or part of road, outside of the yard limit, any motor car, passenger train, freight train, light engine, or self-propelled machine with less than a full crew of competent employes; requiring a crew of two persons on a motor car, when carrying passengers only, and three persons when carrying passengers and baggage, express, or mail; requiring a full crew of four persons on a passenger train of more than one and less than five units, and a crew of five persons for a passenger train with five or more units; requiring a full crew of five persons on freight trains with less than fifty cars, and a crew of six persons on a freight train with fifty or more cars; requiring a full crew of three persons on a light engine unless such engine comes within the term of a motor car, permitting a crew of two persons; requiring a crew of two persons on all self-propelled machines using tracks in meeting and passing trains; exempting roads less than twenty miles in length; providing that the Act shall not apply in case

of disability in any train crew on the road between terminals; providing a penalty for the violation of this Act, etc.; repealing all laws in conflict, and declaring an emergency."

Referred to Committee on Common Carriers.

By Mr. Anderson of Bexar:

H. B. No. 370, A bill to be entitled "An Act amending Title 56, of the Revised Civil Statutes of Texas of 1925, by adding immediately following Article 3810, a new section to be known as Article 3810-a, providing that inadequacy of selling price alone, shall be sufficient ground for setting aside forced sales of real or personal property, and providing that the fact that any such property was sold at such sale for less than the unpaid balance of purchase money notes given for such property, or for less than the unpaid balance of note or notes evidencing loans made on the security of such property, and interest and costs, shall be prima facie evidence that such sale was for an inadequate price or consideration, and providing that suit may be brought by any injured party to set aside any such sale for inadequacy of price alone, within four years from the date of such sale, and providing that, if any part of this Act shall be held to be unconstitutional or invalid for any reason, the remainder shall, nevertheless, remain in full force and effect, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Anderson of Bexar:

H. B. No. 371, A bill to be entitled "An Act amending Article 3810, Revised Civil Statutes, relating to sales of real estate under deed of trust, by adding thereto, another section, known as Article 3810-a, providing the manner and method of sales of homesteads, either by judicial foreclosure proceedings, or by sales under deed of trust, providing that no sale shall be made of any real estate occupied as a homestead, unless written notice of intention to foreclose thereon be served in person upon the occupant thereof, for at least six months prior to the first advertisement, as provided for in Articles 3808 and 3810, Revised Civil Statutes, and providing that a full report of such sale, after same is held, shall be reported to the district court of

the county wherein said sale is made, showing the time of notice, the manner of advertising, the date of sale, the terms of sale, the amount realized therefrom, and the person to whom sold, and providing further, that said district court, in regular session, shall set a date for the hearing thereon, to determine whether said sale shall or shall not be confirmed, which date of hearing shall be not less than six months from the date of the filing of said report in said court, and providing further, that if said sale be confirmed, then, in the discretion of the judge hearing the report, the final issuance of confirmation of sale may be delayed for one year from the date of hearing, and in case order of sale or execution is asked, that such order of sale or execution shall not issue for one year from the date of the final order of the court, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Anderson of Bexar, Mr. Camp, and Mr. Roberts:

H. B. No. 372, A bill to be entitled "An Act levying an occupation tax on life insurance companies doing business in this State, based on gross premiums collected and Texas securities owned, by amending Article 4769, of the Revised Civil Statutes, and repealing Articles 4765 and 4767, of the Revised Civil Statutes, and all that part of Articles 4772, 4773, 4776, and 4754, of the Revised Civil Statutes, in conflict herewith, and also all other laws and parts thereof in conflict herewith, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Anderson of Bexar:

H. B. No. 373, A bill to be entitled "An Act amending Article 5089, Revised Civil Statutes; and Article 5090, Revised Civil Statutes; and Article 5095, Revised Civil Statutes, as amended by the Act of 1931, Forty-second Legislature, page 416, Chapter 249, regulating the sale of alcohol and wine by wholesale druggists and retail druggists or pharmacists; and providing for the keeping of records thereof; and prescribing the duties of physicians issuing prescriptions, and providing for the Comptroller to issue permits and collect a fee therefor; adding a new section to be known



as Article 5090-a, etc.; and repealing all laws in conflict herewith."

Referred to Committee on State Affairs.

By Mr. Fisher:

H. B. No. 374, A bill to be entitled "An Act to provide an old age relief system for resident citizens over the age of seventy years; providing for the administration of the system through the county commissioners courts of the various counties in the State, and permitting the payment of old age relief and the expense of the administration from the general revenue of the county of which the applicant is a resident; prescribing the qualifications of an applicant for relief under the Act and permitting the discontinuance of the relief on conviction of offense or upon evidence of changed status of the beneficiary; and fixing the punishment of any applicant or other person violating any of the provisions of the Act, defining certain terms used in the Act, and identifying the measure as the Old Age Relief Act of the State of Texas."

Referred to Committee on State Affairs.

By Mr. Bradley:

H. B. No. 375, A bill to be entitled "An Act to amend Article 5922, Title 96, Revised Civil Statutes of the State of Texas, 1925, relating to the removal of disabilities of minors, by providing for such removal of disabilities when the father lives without the State, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Shannon, Mr. Patterson, Mr. Renfro, Mr. Greathouse, and Mr. Duvall:

H. B. No. 376, A bill to be entitled "An Act creating the office of county purchasing agent in certain counties; fixing his term of office, and providing for the commissioners court to adopt the system of rules for said office; providing for the removal of said officers and fixing his salary; providing for assistants and fixing their salary; providing for a bond, and fixing the amount, and prescribing the duties of the purchasing agent; placing said agent under the supervision of the purchasing committee of the commissioners court, etc.; and repealing all laws or parts

of laws in conflict with the terms and provisions of this Act; and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Ratliff:

H. B. No. 377, A bill to be entitled "An Act amending Article 4925, Revised Civil Statutes, 1925, of Texas, providing that the provisions thereof shall apply to all foreign insurance companies, other than life insurance companies, applying for a permit or certificate of authority to transact an insurance business in the State of Texas, other than those transacting the business of life insurance; etc.; and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Haag:

H. B. No. 378, A bill to be entitled "An Act providing for the relinquishment of penalties and part interest on ad valorem and poll taxes that have accrued or may accrue on or before February 1, 1933, due the State, county, special school district, school district, road district, levee improvement district, water improvement district, water control improvement district, irrigation improvement district, and other defined subdivisions of the State, if paid on or before June 1, 1933, with interest on said taxes at the rate of six per cent (6%) per annum from February 1, 1933, until paid; providing that the provisions hereof may apply also to cities, towns, and villages; and expressly suspending, during the term of this Act, all laws or parts of laws in conflict with this Act; and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Lotief, Mr. Lindsey, Mr. Few, Mr. Jones of Runnels, Mr. Puryear, Mr. Head, Mr. Russell, Mr. Latham, Mr. Huddleston, Mr. McClain, Mr. Golson, Mr. Alsup, Mr. Reed of Bowie, and Mr. Canon:

H. B. No. 379, A bill to be entitled "An Act amending Article 7105, Chapter 4, Title 122, of the Revised Civil Statutes of 1925, so as to place under the intangible assets tax laws of this State all oil pipe line companies, gas pipe line companies, and all other

classes of common carrier pipe line companies, whether individual or corporate; providing that all such common carriers, whether the business is conducted by individuals or corporations, shall, after the effective date of this Act, come within the provisions and scope of the present intangible assets tax laws of this State; providing that should any sentence, paragraph, section, or part thereof, be held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect any remaining part or parts hereof, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Anderson of Bexar:

H. B. No. 380, A bill to be entitled "An Act requiring every insurance company organized under the laws of this State to maintain assets equal in amount to its liabilities, including its policy reserves and its surplus or contingent reserves; providing that every domestic life insurance company shall maintain a surplus or contingent reserve equal to 3 per cent of the total insurance in force; providing that any domestic insurance company whose capital stock shall become impaired shall make good such impairment within sixty days, and, failing to make good such impairment, shall forfeit its right to write any business in this State until said impairment shall have been made good; providing that the Board of Insurance Commissioners shall apply to a court of competent jurisdiction in Travis County for appointment of receiver to wind up the affairs of any domestic life insurance company when its capital stock shall become impaired to the extent of 25 per cent thereof, etc.; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Anderson of Bexar:

H. B. No. 381, A bill to be entitled "An Act to amend Article 526, of the Revised Civil Statutes of Texas of 1925, prohibiting directors and officers of banks from borrowing from the banks of which they are directors or officers; prohibiting banks from

making loans to relatives of directors or officers, and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Anderson of Bexar:

H. B. No. 382, A bill to be entitled "An Act prohibiting domestic and foreign life insurance companies doing business in this State from investing their funds in stocks of other life insurance companies, and providing penalties for a violation of this provision; providing that no life insurance company doing business in this State may include stocks in other insurance companies as a part of their admitted assets; prohibiting any life insurance company from doing business in this State when one or more officers or directors of such company is also an officer or director of another life insurance company, and providing a penalty for violation of this provision, etc.; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Townsend and Mr. Jones of Atascosa:

H. B. No. 383, A bill to be entitled "An Act amending Article 2547, of the Revised Civil Statutes of Texas, 1925, as amended by House Bill 517, Chapter 129, page 197, et seq., in the Acts of the Regular Session of the Fortieth Legislature, so as to change the provision thereof, requiring the bond or bonds of the county depository to be not less than the average daily balance of such county for the next preceding year for which the bond or bonds are made, instead of double the amount of the revenues of the preceding year; and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Weinert, Mr. Daniel, Mr. Morrison, Mr. Duvall, Mr. Hankamer, Mrs. Hughes, Mr. Fuchs, and Mr. Devall:

H. B. No. 384, A bill to be entitled "An Act to amend Article 7149, Chapter 6, Title 122, Revised Civil Statutes of the State of Texas, 1925, relating to the definition of the terms 'credit, tract or lot, town or district,

value, person,' so as to change the definition of 'value,' in regard to real and other property, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Weinert and Mr. Barron:

H. B. No. 385, A bill to be entitled "An Act to amend Article 7212, of the Revised Civil Statutes of 1925, regulating the powers of board of equalization to supervise and to fix proper valuation on property for taxation, by providing that after said valuation has been fixed, said board shall direct the tax assessor to place said property on tax roll for taxation at 40 per cent of the value so fixed; and to amend Article 7215, of the Revised Civil Statutes of the State of Texas of 1925, which provides the oath to be taken by the board of equalization, by providing that said oath shall be to vote nor allow any taxable property to stand assessed at less than 40 per cent of its true market value or of its real value; and to amend Article 7222, of the Revised Civil Statutes of Texas of 1925, relating to the oath to be made by the tax assessor of the county, by providing that said oath shall be as to 40 per cent of the true and correct valuation, and repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Fuchs, Mr. Alsup, Mr. Ray, Mr. Tarwater, and Mr. Townsend:

H. B. No. 386, A bill to be entitled "An Act providing for a ginner's lien on cotton to cover the cost of ginning, wrapping, or repacking, or fumigating bales or parcels of cotton, and prescribing the life of the lien, manner of giving notice of existence of the lien, and fixing the liability of purchasers for value; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Anderson of Bexar:

H. B. No. 387, A bill to be entitled "An Act to fix the minimum monthly wages to be paid policemen and firemen by cities in the State of Texas, having a population of more than five thousand (5,000) inhabitants; authorizing any person employed as a policeman or fireman in any such city

to recover the full amount of such minimum monthly wage, where a less sum is paid him by any such city; making it unlawful for any officer or agent of any such city to employ any policeman or fireman for less compensation than the minimum wage here fixed, and fixing penalties for violation hereof, and repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Hyder:

H. B. No. 388, A bill to be entitled "An Act to amend Article 580, Title 19, of the Revised Civil Statutes of Texas, 1925, so as to require certain additional persons to comply with the provisions of Article 580, Title 19, of the Revised Civil Statutes of the State of Texas, 1925, relative to the sale of stocks in private corporations in the State of Texas; and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Hyder (by request):

H. B. No. 389, A bill to be entitled "An Act to repeal Article 588, Title 19, Revised Civil Statutes of the State of Texas, 1925, relating to the sale of stocks of solvent concerns, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Van Zandt, Mr. Wood, Mr. Camp, and Mr. Merritt (by request):

H. B. No. 390, A bill to be entitled "An Act amending Article 7332, of the Revised Civil Statutes, as amended by the Acts of the Forty-second Legislature, Second Called Session, providing that the county attorney or district attorney may retain or be paid the penalty recovered in the collection of delinquent taxes due the State and county, in counties of 75,000 or less population according to the last Federal Census, same to be accounted for as fees of office, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Griffith:

H. B. No. 391, A bill to be entitled "An Act providing that all saleslady employes of any person, firm, corporation, or association, shall receive a

minimum wage of twelve dollars per week; providing that the Commissioner of the Bureau of Labor Statistics shall have power and authority to enforce this Act, to provide all necessary forms, make reports twice each year to the Governor, and make all necessary inspections; providing that certain persons shall not be within the terms of this Act, upon application to the Commissioner of the Bureau of Labor Statistics, and his approval of the same, exempting certain persons who are not sales employes, providing for a penalty, and declaring an emergency."

Referred to Committee on Labor.

By Mr. Haag, Mr. Merritt, and Mr. Townsend (by request):

H. B. No. 392, A bill to be entitled "An Act to amend Article 3895, of the Revised Civil Statutes of 1925, relating to compensation for ex-officio services to county officers, whose fees do not reasonably compensate such offices or officers for the work performed, so as to harmonize the compensation of all officers of the same class named and limited in Article 3883."

Referred to Committee on State Affairs.

By Mr. Jones of Shelby:

H. B. No. 393, A bill to be entitled "An Act providing relief for the Silas Common School District No. 17, Shelby County, Texas, in order to aid said district in rebuilding its property and equipment destroyed by fire, about the middle of October, 1932; making an appropriation in the total sum of two thousand dollars (\$2,000) out of the General Fund to said district for said purpose, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Rollins, Mr. Adamson, Mr. Lotief, Mr. Moffett, Mr. Alexander, Mr. Chastain, and Mr. Kayton:

H. B. No. 394, A bill to be entitled "An Act to amend Sections 4 and 5, of Chapter 88, of the General Laws of the Forty-first Legislature, Second Called Session, page 172, said sections appearing on page 175 of said Acts, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

## HOUSE JOINT RESOLUTION ON FIRST READING

The following House Joint Resolution, introduced today, on motion of Mr. Patterson, by unanimous consent of the House, was laid before the House, read first time, and referred to the appropriate committee, as follows:

H. J. R. No. 15, Proposing an amendment to the Constitution of the State of Texas, amending Section 2, Article III, changing the number of Members in the Senate and the House of Representatives; and providing submission of the amendment to a vote of the people of Texas; providing for the time, means, and manner thereof, and making an appropriation therefor.

Referred to Committee on Constitutional Amendments.

## SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 16, to the Committee on Appropriations.

Senate Bill No. 155, to the Committee on Live Stock and Stock Raising.

## ADJOURNMENT

Mr. Anderson of Bexar moved that the House recess to 2 o'clock p. m., today.

Mr. Morse moved that the House adjourn until 10 o'clock a. m., next Monday.

Question first recurring on the motion by Mr. Morse, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—62

Alsup.	Daniel.
Barron.	Davidson.
Burns.	Dean.
Calvert.	Duvall.
Camp.	Dwyer.
Canon.	Engelhard.
Caven.	Fain.
Clayton.	Few.
Colson.	Golson.
Coombes.	Graves.
Crossley.	Greathouse.

Haag.	Moore.
Hankamer.	Morrison.
Harris.	Morse.
Harrison.	Munson.
Hartzog.	Nicholson.
Hester.	Patterson.
Hicks.	Pope.
Hill of Brazoria.	Puryear.
Hill of Webb.	Ramsey.
Hughes.	Reed of Bowie.
Hyder.	Reed of Dallas.
Johnson	Renfro.
of Anderson.	Rogers
Laird.	of Ochiltree.
Latham.	Ross.
Lemens.	Scarborough.
Lindsey.	Scott.
Long.	Smith.
Magee.	Stanfield.
McCullough.	Turlington.
McKee.	Van Zandt.
Moffett.	

## Nays—37

Adamson.	Kyle of Hays.
Aikin.	Mackay.
Alexander.	Merritt.
Baker.	Parkhouse.
Bedford.	Ratliff.
Bourne.	Roberts.
Butler.	Rogers of Hunt.
Cathey.	Rollins.
Chastain.	Savage.
Cowley.	Stinson.
Fisher.	Sullivant.
Glass.	Tarwater.
Good.	Tennyson.
Harman.	Thomas.
Hodges.	Townsend.
Holekamp.	Walker.
Hoskins.	Wood.
James.	Young.
Jones of Atascosa.	

## Present—Not Voting

Dunlap.

## Absent

Anderson	Jefferson.
of Bexar.	Jones of Runnels.
Anderson	Jones of Shelby.
of Johnson.	Kayton.
Barrett.	Kyle of Palo Pinto.
Beck.	Leonard.
Bradley.	Lotief.
Devall.	Mathis.
Dunagan.	McClain.
Ford.	McDougald.
Fuchs.	McGregor.
Goodman.	Metcalfe.
Griffith.	Palmer.
Head.	Pavlica.
Holland.	Ray.
Holloway.	Reader.
Huddleston.	Riddle.
Jackson.	Russell.

Shannon.	Wagstaff.
Shults.	Weinert.
Steward.	Wells.
Stovall.	West.
Tillery.	Winningham.

## Absent—Excused

Hunt.	Mitcham.
Johnson	Vaughan.
of Dimmit.	

The House, accordingly, at 12:30 o'clock p. m., adjourned until 10 o'clock a. m., next Monday, February 6.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Criminal Jurisprudence: House Bills Nos. 47, 135, and 246.

Judiciary: House Bills Nos. 42, 44, and 268.

Public Health: House Bill No. 329.

Revenue and Taxation: House Bills Nos. 39, 111, and 134.

Conservation and Reclamation: House Bill No. 67.

The Committee on Judiciary filed an adverse report, with a minority favorable report, on House Bill No. 45.

## REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, February 2, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 261, "An Act authorizing any taxpayer in any common school district or independent school district to pay one-half or all of such school tax prior to the payment of any other tax that may be collectible on the same roll during the period of time covered by this Act; making provision for the receipt of same by the collector in making proper record thereof, and providing for the issuance of official tax receipt or certificate of redemption upon final payment; authorizing, if desired, the making of a special

roll showing such school taxes segregated; providing that this Act shall be in force only for a period of two years; suspending all laws in conflict therewith for such two-year period, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

### SIXTEENTH DAY

(Monday, February 6, 1933)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Goodman.
Adamson.	Greathouse.
Aikin.	Griffith.
Alexander.	Haag.
Alsup.	Hankamer.
Anderson	Harman.
of Bexar.	Harris.
Anderson	Harrison.
of Johnson.	Hartzog.
Baker.	Head.
Barrett.	Hester.
Barron.	Hicks.
Beck.	Hill of Brazoria.
Bedford.	Hill of Webb.
Bourne.	Hodges.
Bradley.	Holekamp.
Butler.	Holland.
Calvert.	Holloway.
Camp.	Hoskins.
Canon.	Huddleston.
Cathey.	Hughes.
Caven.	Hunt.
Chastain.	Hyder.
Colson.	Jackson.
Coombes.	James.
Cowley.	Jefferson.
Crossley.	Johnson
Daniel.	of Anderson.
Davidson.	Jones of Atascosa.
Dean.	Jones of Runnels.
Devall.	Jones of Shelby.
Dunlap.	Kayton.
Dunagan.	Kyle of Hays.
Duvall.	Kyle of Palo Pinto.
Dwyer.	Laird.
Engelhard.	Latham.
Fain.	Lemens.
Few.	Leonard.
Fisher.	Lindsey.
Ford.	Long.
Fuchs.	Lotief.
Glass.	Magee.
Golson.	Mackay.
Good.	Mathis.

McClain.	Rollins.
McCullough.	Ross.
McDougald.	Russell.
McKee.	Savage.
Merritt.	Scarborough.
Metcalfe.	Scott.
Mitcham.	Shannon.
Moffett.	Smith.
Moore.	Stanfield.
Morrison.	Steward.
Morse.	Stinson.
Nicholson.	Stovall.
Palmer.	Sullivant.
Parkhouse.	Tarwater.
Patterson.	Tennyson.
Pavlica.	Thomas.
Pope.	Tillery.
Puryear.	Townsend.
Ramsey.	Turlington.
Ratliff.	Van Zandt.
Ray.	Vaughan.
Reader.	Wagstaff.
Reed of Bowie.	Walker.
Reed of Dallas.	Weinert.
Renfro.	Winningham.
Riddle.	Wood.
Roberts.	Young.
Rogers	
of Ochiltree.	

#### Absent

Graves.	McGregor.
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#### Absent—Excused

Burns.	Rogers of Hunt.
Clayton.	Shults.
Johnson	Wells.
of Dimmit.	West.
Munson.	

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

### LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of illness:

Mr. Wells for today, on motion of Mr. Anderson of Johnson.

Mr. Shults for today, on motion of Mr. Ratliff.

Mr. Rogers of Hunt for today, on motion of Mr. Savage.

Mr. Munson for today, on motion of Mr. Renfro.

Mr. Burns for today, on motion of Mr. Daniel.

Mr. Johnson of Dimmit for today and the balance of the week, on motion of Mr. Ford.